

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
ERIE DIVISION**

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**ROBERT TROHA and FREDERICK  
BIGNALL on behalf of themselves and all  
others similarly situated,**

**Plaintiffs,**

**v.**

**UNITED STATES OF AMERICA,**

**Defendant.**

**Civil Action No. 05-191-E**

**MOTION OF *AMICUS CURIAE* FOR ADMISSION  
*PRO HAC VICE* OF ANDREA C. FERSTER**

*Amicus Curiae*, Rails-To-Trails Conservancy (“RTC”), through its undersigned counsel, a member of the bar of the United States District Court for the Western District of Pennsylvania, hereby moves that Andrea C. Ferster, General Counsel for RTC, be admitted to appear and practice in this Court as counsel *pro hac vice* on behalf of RTC as *Amicus Curiae* in the above-captioned matter. In support of this motion, counsel hereby certifies the following:

1. Andrea C. Ferster is the General Counsel for the Rails-To-Trails Conservancy, headquartered in Washington, D.C.
2. Ms. Ferster received her law degree from George Washington University National Law Center in 1984. Ms. Ferster is admitted to practice in the District of Columbia, in the U.S. Supreme Court, the U.S. Tax Court, the U.S. Courts of Appeal for the District of Columbia, First, Third, Fourth, Fifth, Seventh, Eighth, Ninth, and Federal Circuits, the U.S. District Court for the District of Columbia, and the U.S. Court of Federal Claims.

3. Ms. Ferster is a member in good standing in each of the Bars to which she is admitted and is not currently suspended or disbarred from practice, or subject to any disciplinary proceedings, before any court in which she is admitted to practice.

4. The undersigned movant is a registered ECF user in the United States District Court for the Western District of Pennsylvania and has read, knows, and understands the Local Rules of Court for the Western District of Pennsylvania.

5. The Court granted RTC's motion to file a brief as *amicus curiae* in this matter as well as RTC's motion to participate in oral argument scheduled to take place on Thursday March 15, 2007 at 1:30 pm.

6. As General Counsel for RTC, Ms. Ferster has extensive experience with railbanking, trail conversions, and related litigation issues in Pennsylvania and across the nation. Ms. Ferster also has experience with "takings" claims that have arisen in connection with the Federal Railbanking Law. Given this experience and expertise, Ms. Ferster is uniquely suited to assisting the Court in understanding the railbanking issues that have been raised in this case and answering questions that the Court may have about local and national trail conversions.

WHEREFORE, *Amicus Curiae*, Rails-To-Trails Conservancy, requests this Court to enter an Order admitting Andrea C. Ferster *pro hac vice* to appear before the Court in connection with this case.

Dated: March 7, 2007

Respectfully submitted,

KIRKPATRICK & LOCKHART PRESTON  
GATES ELLIS LLP

By: /s/William D. Semins

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